



Energy and Telecommunications Interim Committee

68th Montana Legislature

ENERGY &
TELECOMMUNICATIONS
INTERIM COMMITTEE 2021-22

July 23, 2021

Exhibit 7

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NADINE SPENCER, Secretary

July 23, 2021

TO: Energy and Telecommunications Interim Committee
FROM: Jameson Walker, Staff Attorney
RE: Administrative Rulemaking and Rule Review, July 2021

The Energy and Telecommunications Interim Committee is required to review administrative rules promulgated by the Public Service Commission for compliance with the Montana Administrative Procedure Act (MAPA). The rulemaking and rule review processes and the Committee's and an individual legislator's roles in these processes are outlined below.

PROPOSAL NOTICES

Department of Public Service Regulation and Public Service Commission

MAR Notice Number: 38-5-248

Subject: Adoption of a rule pertaining to advanced metering opt-out.

Summary: The department proposes to adopt New Rule I (advanced metering opt-out provisions). The department proposes the amendments to comply with House Bill 267 from the 2019, session and House Bill 606 from the 2021 session. House Bill 606 created a new statute to allow a utility to allow customers to opt-in to the installation of all advanced metering gateway devices located at an end user's residence or business. House Bill 606 codified new definitions of "advanced metering device," "advanced meter," and "advanced metering gateway device." The department states that it is reasonably necessary to create a process for electric and natural gas utilities to create a process for electric and natural gas utilities to institute opt-out programs through tariffs approved by the commission.

Notes/Hearing: This notice is an update to a prior rule notice published in January 29, 2021. The department will hold a public hearing on August 30, 2021, to consider the notice.